

**UNITED STATES DISTRICT COURT**  
 for the  
 Southern District of Texas

United States Courts  
 Southern District of Texas  
 FILED

*March 18, 2025*

United States of America	)	Nathan Ochsner, Clerk of Court
v.	)	
Alberto Villalba Martinez Villalba aka Alberto Villalba	)	Case No.
Martinez aka Alberto Martinez-Villalba	)	
	)	
	)	
	)	

**4:25-mj-156**

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 03, 2025 in the county of Montgomery in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1326 (a) and (b)	Illegal re-entry into the United States after having previously been deported to Mexico, subsequent to having been convicted of a crime defined as a felony, without first applying for and obtaining permission from the Attorney General of the United States, or the Secretary for the Department of Homeland Security, for admission to the United States following deportation from the United States, in violation of Title 8, United States Code, Section(s) 1326(a) and (b).

This criminal complaint is based on these facts:

See Attached Affidavit in support of the Criminal Complaint

Continued on the attached sheet.

  
 Complainant's signature

Terry Matthias, ICE Deportation Officer

Printed name and title

Sworn to me telephonically.

Date: 03/18/2025

  
 Judge's signature

City and state: Houston, Texas

Richard W. Bennett, United States Magistrate Judge

Printed name and title

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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Terry Matthias, being duly sworn by telephone, hereby depose and say:

(1) I am a Deportation Officer with the United States Immigration and Customs Enforcement (“ICE”) and have served in that capacity since June 24, 2007. Prior to this assignment, I have held the following positions: Customs and Border Protection Officer and Immigration Enforcement Agent. My law enforcement career began July 2006, as a Customs and Border Protection Officer. I have over 18 years of immigration law enforcement experience.

(2) On March 17, 2025, at approximately 0702 hrs., Alberto Villalba Martinez Villalba, was detained by ICE. The defendant also goes by the alias of Alberto Villalba Martinez and Alberto Martinez-Villalba.

(3) The Defendant’s fingerprints have been taken and electronically submitted to various law enforcement databases. According to the Integrated Automated Fingerprint Identification System (IAFIS), the Defendant is the same individual as the person referred to in this Affidavit as having been previously convicted and deported.

(4) Based upon the information from ICE’s records as described below, and my training and experience, I submit that there is probable cause to believe that the Defendant is in violation of 8 U.S.C. § 1326(a) and (b).

(5) Element One: The Defendant is a citizen and national of Mexico and not a native, citizen or national of the United States.

(6) Element Two: The Defendant has previously been deported or removed from the United States on the following occasion(s):

- a. April 02, 2021.
- b. June 30, 2010.
- c. July 16, 2009.

(7) Element Three: After deportation, the Defendant was subsequently found in the United States on March 03, 2025, in Montgomery County, Texas, which is within the Houston Division Southern District of Texas. Additionally, I consulted with ICE’s Law Enforcement Support Center (“LESC”) to determine whether, in the past five years and after the Defendant’s last deportation, the Defendant had been encountered by law enforcement prior to the date specified earlier in this paragraph. On March 17, 2025, LESC advised me that the first Immigration Alien Query (“IAQ”) received after the 2021 removal was on March 03, 2025.

(8) Element Four: The Defendant did not have permission to reenter the United States. On March 17, 2025, I reviewed the contents of the Alien File associated with this Defendant and/or available database information. I found no indication that the Defendant has ever received permission from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, to apply for admission to the United States following deportation from the United States. I have requested certification of this fact from the Records Branch of the Immigration Service.

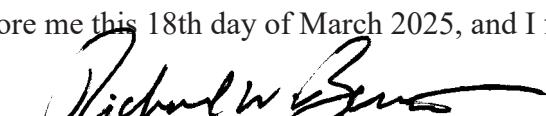
(9) Prior Criminal History / Gang Affiliation. The Defendant has the following prior criminal history and/or gang affiliation:

- a. On March 15, 2021, the Defendant, using the name of Alberto Villalba Martinez was convicted in the 9th Judicial District Court, Conroe, TX for the offense of ASSAULT and was sentenced to 1 year confinement. Case No. 20-5-05873.
- b. On September 08, 1997, the Defendant, using the name of Alberto Martinez-Villalba was convicted in the United States District Court for the Southern District of Texas, Laredo for the offense of TRANSPORTING UNDOCUMENTED ALIENS WITHIN THE U.S. and was sentenced to 3 years probation and 4 months home detention. Case No. 5:197-cr-00115-1.



Terry Matthias, Deportation Officer  
United States Department of Homeland Security  
U.S. Immigration & Customs Enforcement

Signed and sworn telephonically before me this 18th day of March 2025, and I find probable cause.

  
Hon. Richard W. Bennett  
United States Magistrate Judge  
Southern District of Texas